

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Case No. 2:17-cv-00124-JAD-EJY

Plaintiff,

ORDER

v.

DAMIEN NORRIS,

Defendants.

Before the Court is Defendant Damien Norris' Motion to Compel Defense Counsel to Surrender the Case File ... to Defendant of this Case. ECF No. 494. No response to this Motion was filed.

In his Motion, Mr. Norris seeks production of his case file from his defense counsel, Julian Gregory. Mr. Norris states he intends to file a motion to vacate, set aside or correct his sentence pursuant to 28 U.S.C § 2255. Mr. Norris also stated that he has called his "appeal lawyer," who is not identified, but he has not been contacted in response.

Local Rule IA 11-6 states that "[u]nless the court orders otherwise, a party who has appeared by attorney cannot while so represented appear or act in the case. This means that once an attorney makes an appearance on behalf of a party, that party may not personally file a document with the court; all filings must thereafter be made by the attorney." Mr. Gregory appears to remain as counsel for Mr. Norris; however, it is not clear that Mr. Gregory is, in fact, assisting Mr. Norris with his appeal. In any event, it is unclear if the documents Mr. Norris seeks are in Mr. Gregory's possession and/or if it is possible to get those documents to Mr. Norris who is now located in Phoenix, Arizona.

Accordingly,

IT IS HEREBY ORDERED that Defendant's Motion to Compel (ECF No. 494) is GRANTED in part and DENIED in part.

1 IT IS FURTHER ORDERED that Julian Gregory shall file a status report with the Court no later
2 than **August 18, 2020**, addressing his status as counsel for Damien Norris and Mr. Norris' request for
3 his case file.

4 Dated this 11th day of August, 2020

5
6 
7 ELAYNA J. YOUCHAK
8 UNITED STATES MAGISTRATE JUDGE
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28